



**TOWN OF GROTON**  
Affordable Housing Trust



Becky Pine, *Chair*  
Carolyn Perkins, *Vice Chair*  
Phil Francisco, *Member*  
Richard Perini, *Member*  
Charles Vander Linden, *Member*

Regular Session Minutes

Date: Wednesday, April 12, 2023  
Time: 7 pm  
Location: Town Hall, First Floor Meeting Room, 173 Main Street  
Members in attendance: Charles Vander Linden, Richard Perini, Becky Pine, Phil Francisco, and Carolyn Perkins  
Others in attendance: Attorney Paul Alphen, Judy Anderson, Judy Bicknell, Justin Frazier, John Sopka, and several other residents from the Hoyts Wharf/Cow Pond Brook area  
Referenced documents: Heritage Landing map showing areas for proposed land restrictions  
Dillis & Roy March 6, 2023 invoice for \$8,200  
draft February 22, 2023 regular session minutes

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Becky Pine called the Affordable Housing Trust to order at 7 pm with full housing trust member attendance.

**Minutes**

*Charles Vander Linden moved to accept the February 22, 2023 minutes with one correction. Phil Francisco seconded and the motion carried unanimously (5:0).*

**Heritage Landing 40B Development – 10 affordable units**

Attorney Paul Alphen, representing Heritage Landing LLC, presented the developer's plans for its Cow Pond Brook Road site (parcel 248-42). The plan calls for 40 units including 28 single-families and 6 duplexes. 10 of the units distributed across unit types will be affordable. The development will be an ownership project, connected to town water with on-site septic. Attorney Alphen said that the developer would bring town water up to the Department of Public Works site (600 Cow Pond Brook Road).

Attorney Alphen said that all the units will be 3-bedroom units. When asked should the developer fail to obtain a nitrogen loading restriction and other development restriction on town owned land, could the project be built as all 2-bedroom units. Attorney Alphen said that he thought this was so according to what he has learned so far.

Attorney Alphen said that the development ran into two hiccups.

1. **Septic.** There is insufficient land on site for the nitrogen loading restriction. About 15 acres of land needed for nitrogen loading restriction. Land otherwise undevelopable due to wetlands can be used for the nitrogen credit land.
  - a. MIT Haystack Observatory was approached first (parcel 249-62). MIT wanted lighting restrictions (dark sky), agreement to avoid radio interference at the development, covenant to check homes for equipment that might emit radio interference, and a fence. Ultimately, MIT said no.
  - b. The solar company leasing the adjacent capped landfill was approached next (248-41). Talks broke down over the requirement that there be no more impervious surface added to restricted land.

- c. Presently approaching the Town of Groton to request a restriction on parts of land across the street from developer's site (parcels 249-51 and 249-57).
2. Natural Heritage offset. Natural Heritage requires about 10 acres of not developable land to offset allowing the planned amount of development.
    - a. Natural Heritage will allow the same land restricted for nitrogen loading to be counted as its development offset.

Regarding the nitrogen loading restriction, Attorney Alphen displayed a map showing 14.5 total acres of restriction distributed across 3 areas of 3.5 acres, 9 acres and 2 acres. This plan can be reconfigured. Generally, the restricted areas are wetlands. Attorney Alphen said that the developer is ready to do things for the Town such as a parking lot for the ball field or some construction at cost for the Affordable Housing Trust's affordable home (on Hoyts Wharf parcel). Becky Pine reviewed the Affordable Housing Trust's history of site exploration for these 2 parcels. Natural Heritage restricted future development to 1 house lot.

Trust members have seen a concept plan for the Park Commission's desired development of these 2 parcels that includes a rerouted driveway out to Hoyts Wharf Road, additional parking and new multi-use playing fields. Trust members also have an engineered existing conditions map showing potential locations for a house lot on the Hoyts Wharf parcel (dated April 6, 2022). Phil Francisco said that an overlay of the 3 maps would be helpful.

If Natural Heritage will allow the development proposed by the Park Commission (or some of it), then they may need some land for offset purposes too. The Park Commission is meeting with Natural Heritage soon. Charles Vander Linden noted that the Trust will identify its affordable housing view of the proposal, adding that it would be good to sort things out with the Park Commission before the Trust sends a recommendation to the Select Board. Coordination with the Park Commission may narrow differences between the two committees. The Park Commission is expected to send its own recommendation to the Select Board.

Questions for Attorney Alphen:

1. Originally thought to need 15 acres, why only 14.5 acres restricted on the plan.
2. Does the developer have any plans for the 2 small wedges of land it owns on either side of the entrance to Cow Pond Brook Road off Lowell Road (parcels 250-48.5 and 250-49.5).
3. Regarding the affordability of some of the units, Judy Bicknell observed that the MassHousing application states that the monthly condominium fee is \$500.

Regarding a question about the ownership of the site as it relates to Heritage Landing, LLC, Attorney Alphen said that Def Con 1, LLC and Heritage Landing, LLC are related entities. Ownership of the development site will be transferred from Def Con 1, LLC to Heritage Landing, LLC.

One audience member said that there are a lot of objections from homeowners. He said, that to him, the overall size is a lot for the area considering the existing traffic to the ball fields and the transfer station. There was neighborhood concern about the idea of expanding the Cow Pond recreation facility.

Becky Pine said that there is a curiosity and concern about the heavy equipment that has been moved onto the site. Attorney Alphen said that the developer would like to stockpile material on the site.

Regarding Housing Choice legislation, Charles Vander Linden commented to Justin Frazier that the state is ramping up penalties for towns who are not producing affordable housing.

### **Update on pending CPC application**

Becky Pine stated that Town Counsel has been asked to review a revision to the language in the grant agreement to the effect that the CPC *recommends* instead of seeing their role as *approving* applications. The Trust will seek Select Board approval of grant agreement, presumably with that wording change.

Phil Francisco will speak at Town Meeting to the Trust's application. Slides from the February 6, 2023 presentation to the Select Board will be ready to be shown if needed during the meeting.

## **63 Gratuity Road Flexible Development – 6 affordable units**

Fran Stanley updated the meeting on a new housing development discussed at a Land Use Department meeting on Wednesday, March 22<sup>nd</sup>. This was an internal staff meeting with the developer and designed for developers to preview their projects and collect staff feedback on local requirements. 63 Gratuity Road is a 54-acre parcel with frontage on both Jenkins Road and Gratuity Road. The land has high ground water and is bisected by a stream. Commonly referred to as a Lagasse family property, developer Richard Roper had floated a larger project several year ago. Now, he is back with a smaller plan that proposes to put duplexes on each of 17 exclusive use areas (a/k/a lots) for a total of 34 units. As many as 6 will be affordable.

These will be condos with a shared septic, private road, each unit to have a 2-car garage and each unit to have a 1<sup>st</sup> floor bedroom. Mr. Roper said that he has a development in Clinton with a waitlist because the 1<sup>st</sup> floor bedrooms are so popular. The development will be served by town water. 70% of the parcel (or 38 acres) will end up as open space. Matt Waterman from LandTech (also a Groton resident) was the presenting engineer at the meeting. Melissa Robbins was the developer's attorney.

## **Groton Farms 40B update**

There is little to report. The Zoning Board of Appeals has held two meetings. The Zoning Board of Appeals did not open the public hearing on Groton Farms in the second meeting. Instead, ZBA members took steps to identify the people who will be hearing and deciding on the application. Jack Petropoulos un-recused himself. The Board recommended appointment of Russ Harris as an associate member and sought advice from Town Counsel during the meeting.

## **Invoice**

Trust members reviewed an \$8,200 invoice for engineering work on the Fieldstone Drive parcels. The tasks performed were a wetlands delineation and a topographic survey.

*Carolyn Perkins moved to approve payment of the March 6, 2023 Dillis & Roy invoice in the amount of \$8,200. Charles Vander Linden seconded and the motion carried unanimously (5:0).*

As Becky Pine pointed out, the Trust needs to file a Request for Determination of Applicability with the Conservation Commission for permission to cross wetlands on the Fieldstone Drive parcel. The work to dig test pits is exempt from Wetlands Protection Act oversight but the wetlands crossing is under the Conservation Commission purview.

## **New Group Home – 4 affordable units**

Becky Pine announced that a regional nonprofit has opened a new group home which will house several young adults with Autism Spectrum Disorder who are clients of the Department of Developmental Disabilities (DDS). Several Trust members attended an open house held on March 30, 2023. As an incentive to permit and or allow group homes, DHCD allows every resident bedroom to count on the Subsidizing Housing Inventory. This means that although this is a single-family home, Groton will receive credit for four (4) housing units on the SHI.

Regular session meeting adjourned at 8:20 pm.

Notes by Fran Stanley

## **Upcoming meetings:**

Saturday, April 29, 2023  
Tuesday, May 23, 2023

Spring Town Meeting  
Annual Town Election